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ADMITTED IN LOUISIANA AND BEFORE  
U.S. PATENT AND TRADEMARK OFFICE

January 28, 2013

Honorable Vanessa D. Gilmore  
**USDC - Southern District of Texas**  
United States Courthouse  
515 Rusk Street, Room 9513  
Courtroom 9A  
Houston, Texas 77002

Re: Millennium TGA, Inc. v. John Does  
USDC - Southern District of Texas  
Civil No.: 4:11-cv-4501  
Our File No: 0603-2-2990

Dear Judge Gilmore:

I received a phone call from Jeff Schulz on behalf of Millennium TGA regarding the above referenced matter. Mr. Schulz indicated that his client would like to move forward with the action against my client, Non-Party Doe (IP Address 72.207.240.160), who he referenced by name during the call. As you are aware, this case was Voluntarily Dismissed under Rule 41(a)(1) of the Federal Rules of Civil Procedure (Rec. Doc. 122). Your Order of Dismissal (Rec. Doc. 123) dismissed this case without prejudice. A Motion to Alter the Judgment (Rec. Doc. 126) to provide that the dismissal is with prejudice is now pending before this Court.

We represent two Non Party Does (IP Address 72.207.240.160 and IP Address 50.46.192.24) in this action. We filed Motions for Protective Orders on behalf of both Non Party Does which were granted (Rec. Docs. 98 and 113). Mr. Schulz indicated to me that he plans to proceed individually against my client using the personal information he obtained during the course of this action. That information is covered under the Protective Order and we believe any use of that information violates your Order.

We wanted to draw this Court's attention to the potential abuse of process displayed by counsel for Millennium TGA as this Court considers the Motion to Alter the Judgment. If Millennium TGA does proceed individually against one or both of my clients, it will be the third time they have been sued.

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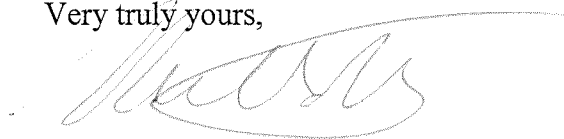
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Thank you for your attention to this matter. If you have any questions regarding the foregoing, please do not hesitate to contact the undersigned.

With best regards, I remain

Very truly yours,



MARK N. MELASKY

W. SCARTH CLARK

*Attorneys for Non Party Does (IP Address  
72.207.240.160 and IP Address 50.46.192.24)*

MNM/apb

**CERTIFICATE OF SERVICE**

I hereby certify that on the 28<sup>th</sup> day of January, a copy of the foregoing was electronically submitted by Mark N. Melasky of Koeppel Traylor, to the CM/ECF system which will send notification of such filings to Millennium TGA, Inc.



MARK N. MELASKY